

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Anil VASUDEVAN
Serial No. : 09/893,888
Filed : June 29, 2001
For : METHOD AND APPARATUS TO REDUCE PACKET
TRAFFIC ACROSS AN I/O BUS
Group Art Unit : 2155
Examiner : B. BAROT
Docket Number : 2207/11659

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

S I R:

The Applicants respectfully submit this Petition under 37 C.F.R. 1.181(a) requesting the withdrawal of the holding of abandonment.

A Notice of Abandonment in U.S. Patent Application No. 09/893,888 ("the '888 application") was allegedly mailed on September 8, 2005, stating that Applicant failed to timely reply to a Non-Final Rejection mailed November 5, 2004. Neither the Notice of Abandonment, nor the Non-Final Rejection were received by Applicant. Instead, the undersigned discovered on August 25, 2007, during a review of his pending matters, that the USPTO had placed the '888 application in abandoned status.

Upon a review of the file history of the '888 application, it is clear that the USPTO did not mail the Non-Final Rejection and the Notice of Abandonment to Applicant, and as a result, Applicant did not receive the Non-Final Rejection and the Notice of Abandonment. Instead, the USPTO mailed the Non-Final Rejection and the Notice of Abandonment to an attorney who was no longer of record, and had been recognized by the USPTO as having withdrawn from representation.

The relevant facts are set forth below and in the attached exhibits:

1. On June 29, 2001, the '888 application was transmitted to the USPTO. David C. Oren (Reg. No. 38,694) of Antonelli, Terry, Stout & Kraus, LLP signed the transmittal form. (Exhibit 1.)

2. On October 9, 2001, a Declaration and Power of Attorney for Patent Application was received by the USPTO. (Exhibit 2.) The declaration indicated that correspondence should be sent to Antonelli, Terry, Stout & Kraus, LLP in Arlington, VA. (*Id.*)

3. On September 25, 2003, a Change of Correspondence Address and Request for Withdrawal as Attorney or Agent was filed with the USPTO by Paul J. Skwierawski of Antonelli, Terry, Stout & Kraus, LLP. (Exhibit 3.) The document constituted an application to withdraw Antonelli, Terry, Stout & Kraus, LLP and its attorneys for the '888 application. (*Id.* at 1.) Antonelli, Terry, Stout & Kraus, LLP also indicated that the correspondence address should be transferred to Kenyon & Kenyon of Washington, DC. (*Id.* at 2.)

4. On October 14, 2003, the USPTO mailed a Decision on Request for Withdrawal as Attorney. (Exhibit 4.) The request was granted and mailed to Antonelli, Terry, Stout & Kraus, LLP. (*Id.* at 1.) The communication indicated "[a]ll future communication will be directed to the below-listed address until otherwise notified by applicant. (*Id.*) The below-listed address was that of Kenyon & Kenyon of Washington, DC.

5. On October 20, 2003, as evidenced by the Patent Jacket Data Sheet which was attached to Kenyon & Kenyon LLP's physical file for the '888 application, a communication was received from the USPTO. (Exhibit 5.) Based on a review of the physical file, it is believed that the communication was the petition grant of Exhibit 4.

6. Also on October 20, 2003, as evidenced by a postcard stamped by the USPTO (Exhibit 6), a Transmittal Form (Exhibit 7) and a Power of Attorney (Exhibit 8) were filed with the USPTO. A review of the Transaction History for the application at issue on USPTO's Public PAIR system indicates neither the Transmittal Form, nor the Power of Attorney, were entered into the application file at the USPTO.

7. On November 5, 2004, a non-final rejection was allegedly mailed by the USPTO; however, the non-final rejection was addressed to Antonelli, Terry, Stout & Kraus, LLP. (Exhibit 9.)

8. According to the '888 application transaction history on USPTO Public PAIR, the '888 application allegedly abandoned on September 6, 2005. (Exhibit 10.)

9. On September 8, 2005, a notice of abandonment was allegedly mailed by the USPTO; however, the non-final rejection was again addressed to Antonelli, Terry, Stout & Kraus, LLP. (Exhibit 11.)

10. On August 25, 2007, I (Shawn W. O'Dowd) personally discovered that the '888 application was allegedly abandoned after a review of applications for which I was the responsible attorney.

11. I reviewed the cover of the '888 application file, and the existing Patent Jacket Data Sheet indicated that neither the first office action nor the notice of abandonment was entered into Kenyon & Kenyon's docketing system. (Exhibit 5.)

12. I reviewed the contents of the '888 application file, and the first office action and the notice of abandonment were not contained therein.

13. I searched my office for the first office action and the notice of abandonment, and did not find them.

14. As evidenced by a patent jacket data sheet printed on September 6, 2007 by Kenyon & Kenyon's docketing department, Kenyon's docketing department had no record of receipt of the non-final office action or the notice of abandonment. (Exhibit 12.)

15. I did not receive actual or constructive notice of the non-final office action and the notice of abandonment until August 25, 2007, and this petition was filed as soon as practicable after obtaining such notice.

ANALYSIS

According to 35 U.S.C. § 133, notice of office action must be "given or mailed to applicant" in order for an application "be regarded as abandoned." As set forth by the facts above, and the exhibits attached hereto, applicant's representative before the USPTO clearly did not receive notice of the first office action in the '888 application. The office action was mailed to the wrong address, despite evidence that the prior attorney of record requested a change of address (Exhibit 3), the USPTO acknowledged the change of address (Exhibit 4), and Kenyon & Kenyon separately requested a change of address (Exhibit 8).

As an office action has not been "given or mailed" to applicant by the USPTO, it is respectfully requested that the USPTO withdraw its holding of abandonment, and mail an office action to applicant via their designated representative at Kenyon & Kenyon LLP, thus resetting the time for response to the office action.

It is also requested that the transmittal form (Exhibit 7) and power of attorney (Exhibit 8) be entered by the USPTO.

The undersigned understands that this is a non-fee petition. However, should the Office determine that any fees are due, the Office is authorized to charge any such fees to Deposit Account No. 11-0600.

Petition filed Sept. 6, 2007
Appl. No. 09/893,888

Respectfully submitted,

Dated: September 6, 2007

/Shawn W. O'Dowd/

By:

Shawn W. O'Dowd (Reg. No. 34,687)

KENYON & KENYON LLP
1500 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 220-4200

EXHIBIT 1

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 219.40060X00
First Inventor Anil VASUDEVAN
Title See 1 in Addendum
Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 19]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

Prior application information:

Examiner

of prior application No. /

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under
Box 6b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 020457 or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

David C. Owen

Registration No. (Attorney/Agent)

38,694

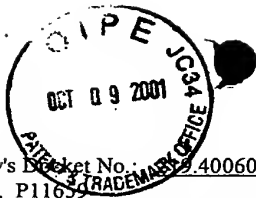
Signature

Date

June 29, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Box Patent Application,
Washington, DC 20231

EXHIBIT 2



#3

Attorney's Docket No. 9.40060X00 (ATSK)
Intel No. P11032

PATENT

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(FOR INTEL CORPORATION PATENT APPLICATIONS)

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND APPARATUS TO REDUCE PACKET TRAFFIC ACROSS AN I/O BUS

the specification of which

is attached hereto.

X was filed on June 29, 2001

United States Application Number 09/893,888

or PCT International Application Number

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>
(Number)	(Country)	(Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>
(Number)	(Country)	(Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

(Application Number) Filing Date

(Application Number) Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number) Filing Date (Status -- patented,
pending, abandoned)

(Application Number) Filing Date (Status -- patented,
pending, abandoned)

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; David T. Terry, Reg. No. 20,178; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; Robert M. Bauer, 34,487, my attorneys; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, telephone: (703) 312-6600, fax: (703) 312-6666; and Alan K. Aldous, Reg. No. 31,905; Ben Burge, Reg. No. 42,372; Richard C. Calderwood, Reg. No. 35,468; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; John Greaves, Reg. No. 40,362; John Kacvinsky, Reg. No. 40,040; Seth Z. Kalson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; Peter Lam, Reg. No. 44,855; Charles A. Mirho, Reg. No. 41,199; Paul Nagy, Reg. No. 37,896; Leo V. Novakoski, Reg. No. 37,198; Thomas C. Reynolds, Reg. No. 32,488; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Steven C. Stewart, Reg. No. 33,555; Gene I. Su, Reg. No. 45,140; Raymond J. Werner, Reg. No. 34,752; Robert G. Winkle, Reg. No. 37,474; Sharon Wong, Reg. No. 37,760; Steven D. Yates, Reg. No. 42,242; Calvin E. Wells; Reg. No. 43,256 and Charles K. Young, Reg. No. 39,435; my patent attorneys, and my patent agents, of INTEL CORPORATION; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send all correspondence to:

Customer Number 020457
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209

Direct all telephone calls and faxes to:

TEL: (703) 312-6600
FAX: (703) 312-6666

INTEL CORPORATION
Rev. 08/05/98 (D3 INTEL)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Anil VASUDEVAN

Inventor's Signature Anil Vasu Date 9/20/2001

Residence Same as Mailing Address Citizenship INDIA
(City, State) (Country)

Mailing Address 12849 NW Marshall Ct., Portland, OR 97229

Full Name of Second/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship USA
(City, State) (Country)

Mailing Address _____

Full Name of Third/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Mailing Address _____

Full Name of Fourth/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Mailing Address _____

EXHIBIT 3



#5

2133

219.40060X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: VASUDEVAN, ANIL

Serial No.: 09/893,888

Filed: June 29, 2001

For: METHOD AND APPARATUS TO REDUCE PACKET TRAFFIC ACROSS
AN I/O BUS

Art Unit: 2133

Examiner: Unassigned

RECEIVED

SEP 26 2003

Technology Center 2100

CHANGE OF CORRESPONDENCE ADDRESS
AND
REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 25, 2003

Sir:

I hereby sign on behalf of and apply to withdraw, all of the following persons
and/or law firm as attorneys or agents for the above-identified application:

Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; Robert M. Bauer, Reg. No. 34,487, Hung H. Bui, Reg. No. 40,415; of
Customer No. 020457, ANTONELLI, TERRY, STOUT & KRAUS, LLP, 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, telephone 703-312-6600, fax 703-312-6666.

The reason(s) for this request:

It is respectfully noted that there are presently no outstanding actions or periods for response; and,

Owner/Assignee Intel Corp. has instructed that the further handling/responsibility for the above-identified application should be transferred to the following changed correspondence address:

Kenyon & Kenyon
1500 K Street, N.W.
Suite 700
Washington, DC 20005-1257
Tel: (202) 220-4200
Fax: (202) 220-4201

Accordingly, it is respectfully requested: that approval of the withdrawal be granted; that written notification of the approval be forwarded to the undersigned; and, that future correspondence (other than the approval communication) be mailed to the above changed correspondence address.

Respectfully submitted,



Paul J. Skwierawski
Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, VA 22209
Direct Dial 703-312-6636
Facsimile 703-312-6666

PJS/pay

EXHIBIT 4



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MAIL

Paper No. 6

OCT 14 2003

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209

DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

In re Application of
Anil VASUDEVAN
Application No. 09/893,888
Filed: June 29, 2001
For: METHOD AND APPARATUS TO
REDUCE PACKET TRAFFIC ACROSS
AN I/O BUS

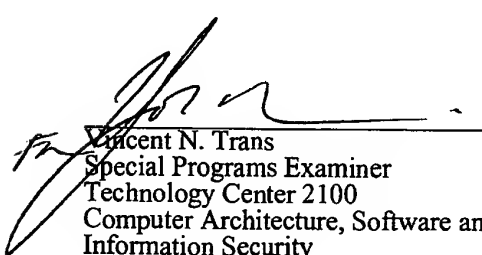
DECISION ON REQUEST FOR
WITHDRAWAL AS ATTORNEY

This is a decision on the Request To Withdraw from Representation filed September 25, 2003.

A grantable request to withdraw as attorney of record should indicate thereon the present mailing addresses of the attorney(s) who is/are withdrawing from the record and of the applicant. The request for withdrawal must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a). The effective date of withdrawal being the date of decision and not the date of request. See M.P.E.P. § 402.06. 37 C.F.R. § 1.36 further requires that the applicant or patent owner be notified of the withdrawal of the attorney or agent.

The request has been **GRANTED**.

All future communication from the Office will be directed to the below-listed address until otherwise notified by applicant. This correspondence address is provided by the withdrawn attorney(s). Applicant is reminded of the obligation to promptly notify the U.S. Patent and Trademark Office (the Office) of any change in correspondence address to ensure receipt of all communications from the Office.


Vincent N. Trans
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software and
Information Security
(703) 305-9750

cc: KENYON & KENYON
1500 K Street, N.W.
Suite 700
Washington, DC 20005-1257

EXHIBIT 5



J.C. ALTMILLER
S. O'DOWD

D.R. THOMAS

P39894 US
Client Ref
Office

Title **METHOD AND APPARATUS TO REDUCE PACKET TRAFFIC ACRSOO AN I/O BUS**

Prosecution Particulars

Parties

Prosecution Status **Live - Pending**
Priority Claimed
Parent
Application **09/893888** **29-Jun-2001** **United States**
Filed on
Publication **2003-0002497** **02-Jan-2003**
Allowed
Grant Fees Paid
Grant
Expiry
Agent **KENYON D.C.**

Applicant/Regd. **INTEL CORPORATION**
Inventor **ANIL VASUDEVAN**
Reel/Frame **12245/890**

Renewal Particulars

Renewal Status **Pre-Grant**
Annuity
Next Due
Next Cost
Cost Restof Life

Comm Date	Communication / Action	Due Date	Last Date	Response Filed
23-Aug -2001	Filing Receipt Rec'd			
20-Sep -2001	IDS Filed	20-Sep-2001	20-Sep-2001	20-Sep-2001
09-Oct -2001	Assignment Filed	09-Oct -2001	09-Oct -2001	29-Jun -2001
09-Oct -2001	Drawings Filed	09-Oct -2001	09-Oct -2001	09-Oct -2001
	File Missing Parts	17-Oct -2001	17-Oct -2001	09-Oct -2001
13-Nov -2001	Updated Filing Receipt Rec'd			
26-Dec -2001	Recorded Documents Rec'd			
21-Jan -2003	Notice of Publication Rec'd			
20-Oct -2003	Power of Attorney	20-Oct -2003	20-Oct -2003	20-Oct -2003
20-Oct -2003	Communication from PTO		20-Oct -2003	

EXHIBIT 6

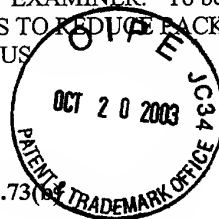
The stamp of the Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of:

APPLICATION NO.: 09/893,888
FILING DATE: June 29, 2001
INVENTOR(S): Anil VASUDEVAN
TITLE: METHOD AND APPARATUS TO REDUCE PACKET TRAFFIC ACROSS AN I/O BUS

ART UNIT: 2133
EXAMINER: To be assigned

PAPERS FILED:

1. Transmittal form;
2. Power of Attorney with Statement Under 37 CFR 3.73(b)



SWO/lmq

(date) 10/20/03

2207/11659

EXHIBIT 7

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/893,888
		Filing Date	June 29, 2001
		First Named Inventor	Anil VASUDEVAN
		Art Unit	2133
		Examiner Name	To be assigned
Total Number of Pages in This Submission	3	Attorney Docket Number	02207/1159

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="text-align: center;">Certificate under 37 CFR 3.73(b)</p>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KENYON & KENYON by Shawn W. O'Dowd, Reg. No. 34,687
Signature	<i>Shawn W. O'Dowd</i>
Date	10/20/01

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT 8

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	09/893,888
Filing Date	June 29, 2001
First Named Inventor	Anil VASUDEVAN
Art Unit	2133
Examiner Name	To be assigned
Attorney Docket Number	02207/11659

I hereby appoint:

☒ Practitioners at Customer Number

23838

OR

☐ Practitioner(s) named below:Place Customer
Number Bar Code
Label here

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

OR

Place Customer
Number Bar Code
Label here☒ Firm or
Individual Name

Shawn W. O'Dowd

Address

Kenyon & Kenyon

Address

1500 K Street, N.W.

City

Washington

State

DC

ZIP

20005

Country

USA

Telephone

(202) 220-4255

Fax

(202) 220-4201

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Name

Pam Matlock

Title

Secretary of Patents

Signature

Pam Matlock

Date

10/16/03

Telephone

408/765-1144

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of one (1) forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Intel Corporation

Application No./Patent No.: 09/893,888

Filed/Issue Date: June 29, 2001

Entitled: METHOD AND APPARATUS TO REDUCE PACKET TRAFFIC ACROSS AND I/O BUS

_____, a _____
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012245, Frame 0890, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE:] A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

10/16/03
Date

(408) 765-1144

Telephone Number

Pam Matlock
Signature

Pam Matlock

Typed or printed name

Secretary of Patents

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT 9



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,888	06/29/2001	Anil Vasudevan	219.40060X00	4965

20457 7590 11/05/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

BAROT, BHARAT

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,888

Applicant(s)

VASUDEVAN, ANIL

Examiner

Bharat N Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/20/01.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

EXHIBIT 10

09/893,888 Method and apparatus to reduce packet traffic across an I/O bus

09-06-
2007::16:36:51**Transaction History**

Date	Transaction Description
09-08-2005	Mail Abandonment for Failure to Respond to Office Action
09-06-2005	Abandonment for Failure to Respond to Office Action
11-05-2004	Mail Non-Final Rejection
11-01-2004	Non-Final Rejection
09-16-2004	Case Docketed to Examiner in GAU
06-01-2004	IFW TSS Processing by Tech Center Complete
10-14-2003	Change in Power of Attorney (May Include Associate POA)
10-14-2003	Record Petition Decision of Granted Related to Attorney
09-25-2003	Petition Entered
07-21-2003	Case Docketed to Examiner in GAU
01-04-2002	Case Docketed to Examiner in GAU
09-20-2001	Information Disclosure Statement (IDS) Filed
09-20-2001	Information Disclosure Statement (IDS) Filed
11-27-2001	Transfer Inquiry to GAU
11-08-2001	Application Dispatched from OIPE
11-07-2001	Application Is Now Complete
08-17-2001	Notice Mailed--Application Incomplete--Filing Date Assigned
08-16-2001	Correspondence Address Change
07-10-2001	IFW Scan & PACR Auto Security Review
06-29-2001	Initial Exam Team nn

Close Window

EXHIBIT 11



UNITED STATES PATENT AND TRADEMARK OFFICE

A

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,888	06/29/2001	Anil Vasudevan	219.40060X00	4965
20457	7590	09/08/2005		
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873				
EXAMINER BAROT, BHARAT				
ART UNIT 2155				
PAPER NUMBER				

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Notice of Abandonment

Application No.

09/893,888

Examiner

Bharat N. Barot

Applicant(s)

VASUDEVAN, ANIL

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 05 November 2004.

- (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
- (d) ☐ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

- (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
- (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
- (c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

- (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- (b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

Bharat Barot
BHARAT BAROT
PRIMARY EXAMINER

(571) 272-3979

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

EXHIBIT 12

Patent Jacket Data Sheet

Intel Corporation
02207 / 11659

S. O'DOWD

P39894 US

Client Ref
Office

R. BROGDON

Title **METHOD AND APPARATUS TO REDUCE PACKET TRAFFIC ACRS00 AN I/O BUS**

Prosecution Particulars

Prosecution Status **Live - Pending**
Priority Claimed
Parent
Application **09/893888** **29-Jun-2001** **United States**
Filed on
Publication **2003-0002497** **02-Jan-2003**
Allowed
Grant Fees Paid
Grant
Expiry
Agent **KENYON D.C.**

Parties

Applicant/Regd. **INTEL CORPORATION**
Inventor **ANIL VASUDEVAN**
Reel/Frame **12245/890**

Renewal Particulars

Renewal Status **Pre-Grant**
Annuity
Next Due
Next Cost
Cost Restof Life

Comm Date Communication / Action

Due Date

Last Date

Response Filed

23-Aug -2001 Filing Receipt Rec'd
20-Sep -2001 IDS Filed
09-Oct -2001 Assignment Filed
09-Oct -2001 Drawings Filed
File Missing Parts
13-Nov -2001 Updated Filing Receipt Rec'd
26-Dec -2001 Recorded Documents Rec'd
21-Jan -2003 Notice of Publication Rec'd
20-Oct -2003 Communication from PTO
20-Oct -2003 Power of Attorney

20-Sep-2001	20-Sep-2001	20-Sep-2001
09-Oct -2001	09-Oct -2001	29-Jun -2001
09-Oct -2001	09-Oct -2001	09-Oct -2001
17-Oct -2001	17-Oct -2001	09-Oct -2001
20-Oct -2003	20-Oct -2003	20-Oct -2003